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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,115	10/21/2003	Paul Andrys	SK00002C1 (00CXT0656C1)	5326
34408	7590	10/03/2005	EXAMINER	
THE ECLIPSE GROUP 10605 BALBOA BLVD., SUITE 300 GRANADA HILLS, CA 91344			NGUYEN, KHANH V	
			ART UNIT	PAPER NUMBER
			2817	

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

EX

<b>Office Action Summary</b>	<b>Application No.</b> 10/691,115	<b>Applicant(s)</b> ANDRYS ET AL.	
	<b>Examiner</b> Khanh V. Nguyen	<b>Art Unit</b> 2817	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 July 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

Applicant's arguments filed on July 22, 2005 have been fully considered but they are not persuasive. Note, Figure 1 of Jarvinen discloses a pair of resistors directly connected between bias voltage input terminal (V<sub>bias</sub>) and ground; and a bias voltage input terminal (V<sub>bias</sub>) for receiving bias voltage connected to the pair of resistors resulting a bias current via the resistors, wherein the bias voltage is always present in the reference circuit and **the resistor (not label) is resistor connected between the base of transistor (Q2) and the bias voltage (V<sub>bias</sub>) and that resistor can be read as claimed at least one resistor**. Also note, rectangular blocks of Jarvinen which have no label are resistor elements.

Applicant's Remarks, page 5, argued that *"In the claimed invention a 15Kohm resistor 104 is connected to a bias voltage input terminal 102. Resistor 104 is paired with another 15KOhm resistor 106, and the output from this voltage divider resistor pair is connected to the negative input terminal of an op-amp 110. (Page 3, line 19, through page 4 line 2). The output of the op-amp 110 is connected to the gate of a CMOS FET 114. The CMOS FET 114 has a source that is connected to the voltage supply terminal 116 and a drain connected to the positive input terminal of the op-amp 110 and a 4.7KOhm resistor 120. (Page 4, lines 3-7). When two volts is applied to bias voltage input terminal 102, CMOS FET 114 is activated allowing current to flow through 4.7Kohm resistor 120, which results in an bias current. (Page 5. lines 2-7).*

*The transistors are biased by choosing voltage as the dependent variable and the current in the devices is the same but the voltage varies. Thus the I<sub>bias</sub> current which has a direct relationship to the bias voltage applied to the bias voltage input terminal, is mirrored with selectable MOS FET 115 to produce the I<sub>ref</sub> current that is then sourced into the collector of the bipolar junction transistor (BJT) 126. (Page 5, lines 8-16). The feedback loop 137 adjusts the base voltage of BJT 126 to maintain a collector current equal to I<sub>ref</sub> (Page 5, lines 17-19)."*

It is absolutely correct that the specification disclosed everything stated above. However, the examiner does not see all the elements stated above in the claims. Accordingly, claims 1-27 remain rejected.

### **Conclusion**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh V. Nguyen whose telephone number is (571) 272-1767. The examiner can normally be reached from 8:00 AM - 3:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571) 272-1769. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**KHANH VAN NGUYEN**  
**PRIMARY EXAMINER**  
Art Unit: 2817